

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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In re : Chapter 11  
:  
NICHOLAS G.A. DENTON, : Case No. 16-12239 (SMB)  
:  
Debtor.<sup>1</sup> : (Jointly Administered)  
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**STIPULATION BETWEEN THE DEBTOR AND THE GAWKER ENTITIES AND  
AGREED TO ORDER**

The above-captioned debtor (the “Debtor”) and Gawker Media LLC, Gawker Media Group, Inc., and Gawker Hungary Kft. (collectively, and as both debtors and debtors in possession, the “Gawker Entities,” and together with the Debtor, the “Parties”) by and through their respective counsel, hereby enter into this stipulation (the “Stipulation and Order”) for an agreed order implementing certain agreements negotiated among the parties.

**Recitals**

WHEREAS, the Debtor filed a petition for relief under chapter 11 of the Bankruptcy Code on August 1, 2016 (the “Petition Date”) and the first meeting of creditors was held on August 25, 2016;

WHEREAS, the deadline to object to the discharge (the “Discharge”) of the Debtor’s debts, if any, to the Gawker Entities pursuant to sections 523(a), (c), and 1141(d)(2) of title 11 of the United States Code, 11 U.S.C. § 101, *et seq.* (the “Bankruptcy Code”) is October 24, 2016;

WHEREAS, pursuant to the *Order Establishing Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof* [Docket No. 73] (the “Bar Date Order”), the last day for all persons and entities, but not including governmental units, to assert a claim, as

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<sup>1</sup> The last four digits of the Debtor’s social security number are 1234.

defined in Section 101(5) of the Bankruptcy Code, against the Debtor which arose on or prior to the filing of the petition on the Petition Date (a “Pre-Petition Claim”), is November 18, 2016 (the “Bar Date”);

WHEREAS, each of the Gawker Entities may have Pre-Petition Claims against the Debtor, and may assert that such Pre-Petition Claims are nondischargeable (the “Nondischargeability Actions”), and the Debtor may dispute such claims and/or assert that such claims are dischargeable;

WHEREAS, (a) the Gawker Entities have filed a proposed plan of reorganization in their own chapter 11 cases (the “Gawker Entities’ Chapter 11 Cases”), (b) the plan process in those cases, including potential settlements of Pre-Petition Claims of the Gawker Entities (and nondischargeability thereof), if any, against the Debtor and/or his estate are likely to affect the Debtor’s chapter 11 case, (c) the Gawker Entities seek an extension of their time to object to the Discharge, and (d) the exclusive period to solicit acceptance of a plan has been extended in the Gawker Entities’ Chapter 11 Cases to February 5, 2017 and February 7, 2017;

WHEREAS, the Parties agree that an extension of the time for the Gawker Entities to file Pre-Petition Claims, if any, in the Debtor’s chapter 11 case and to object to the Discharge will save costs and permit the Parties to continue discussions (among themselves and with creditors in all of the chapter 11 cases) relating to such claims and the Discharge; and

**NOW, THEREFORE, IT IS HEREBY STIPULATED, AGREED, AND SO ORDERED THAT:**

1. The last day for the Gawker Entities (or any person or entity acting on behalf of one or more of the Gawker Entities) to object to the Discharge shall be and hereby is extended

through and including December 30, 2016, without prejudice to further extensions of time by agreement of the Parties or order of this Court.

2. The last day for the Gawker Entities (or any person or entity acting on behalf of the Gawker Entities) to file Pre-Petition Claims in the Debtor's chapter 11 case is extended through and including December 30, 2016.

3. This Stipulation and Order shall not affect the substantive rights of the Debtor or the Gawker Entities (or any person or entity acting on behalf of the Gawker Entities), nor shall it constitute an acknowledgement by the Debtor of the validity, nature, priority or amount of any Pre-Petition Claim of the Gawker Entities, or the nondischargeability of any debt.

4. The Stipulation and Order may be executed in counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument. Electronic signatures shall have the same force and effect as original signatures.

5. This Stipulation and Order and all of its provisions are binding on, and inure to the benefit of, the Parties hereto and their respective successors and assigns. For the avoidance of doubt, the official committee of unsecured creditors in the Gawker Entities' Chapter 11 Cases or any other person granted standing to prosecute Gawker Entities' Pre-Petition Claims and/or Nondischargeability Actions (if and when standing is granted), and any estate representative with standing and authority to prosecute such matters after confirmation of a chapter 11 plan in the Gawker Entities' Chapter 11 Cases, shall be a beneficiary of this Stipulation and Order with respect to such matters.

6. The Court shall retain exclusive jurisdiction over all matters pertaining to the implementation, interpretation, and enforcement of this Stipulation and Order. This Stipulation and Order shall not be modified without the prior consent of the committee of unsecured

creditors in the Gawker Entities Chapter 11 Cases and the Parties hereto or as otherwise ordered by this Court.

7. Any stay of this Stipulation and Order provided for in the Federal Rules of Bankruptcy Procedure or otherwise is hereby waived, and this Stipulation and Order shall be effective and enforceable upon its entry.

Dated: October 24, 2016  
New York, New York

/s/ Mark Tsukerman  
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-and-

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*Counsel for the Debtor and Debtor in  
Possession*

SO ORDERED:

Date November 9, 2016

/s/ STUART M. BERNSTEIN  
HONORABLE STUART M. BERNSTEIN  
UNITED STATES BANKRUPTCY JUDGE